

A regular meeting of the City Council was held in the Council Chamber, City Hall, at 4 p.m., on Wednesday, May 4, 1949, with Mayor Baxter presiding, and Councilmen Alba, Childs, DeLaney, Jordan and White present.

Absent: Councilman McKee.

INVOCATION.

The invocation was given by Councilman Ernest S. DeLaney, Jr.

MINUTES APPROVED.

Upon motion of Councilman Alba, seconded by Councilman Jordan, and unanimously carried, the minutes of the last meeting, on April 27th, were approved as submitted.

ADOPTION OF ORDINANCES AUTHORIZING \$4,575,000 BONDS, AND RESOLUTION CALLING A SPECIAL ELECTION ON JUNE 11, 1949.

Ordinances entitled, "An Ordinance Authorizing \$675,000 Water Bonds", "An Ordinance Authorizing \$1,000,000 Sanitary Sewer Bonds", "An Ordinance Authorizing \$1,000,000 Street Improvement Bonds", "An Ordinance Authorizing \$200,000 Police Station Bonds", "An Ordinance Authorizing \$200,000 Fire Alarm System Bonds", "An Ordinance Authorizing \$500,000 Off-street Parking Bonds", and "An Ordinance Authorizing \$1,000,000 Recreational Facilities Bonds" were introduced and read, and upon motion of Councilman Childs, seconded by Councilman White, were individually and unanimously adopted. A Resolution entitled, "Resolution Calling a Special Election On June 11, 1949" was then introduced and read, and upon motion of Councilman Childs, seconded by Councilman White, was unanimously adopted. Said Ordinances and Resolution are recorded in full in Ordinance Book 11, beginning at Page 35.

REQUEST OF MR. AND MRS. WARD MILLER FOR RENEWAL OF BEER LICENSE REFERRED TO CITY MANAGER.

Upon motion of Councilman DeLaney, seconded by Councilman Jordan, and unanimously carried, the request made by Mr. Robert Wellons, Attorney, that the license of Mr. and Mrs. Ward Miller covering the sale of beer at their cafe at Caldwell Street and Belmont Avenue be renewed was referred to the City Manager. Mr. Wellons stated that the State License had been renewed, and that the application to the City for renewal of the City license had been rejected by Chief Littlejohn, due to the large number of arrests being made at the Cafe for drunkenness, and the petitions from citizens within the vicinity that the license not be renewed. He further stated that under the new law, the issuance of new beer license will be made by the local A.B.C. Boards, and the municipalities may only issue renewals, and the A.B.C. Board Inspectors will have supervision of places so licensed.

RESOLUTION ABANDONING PART OF STREET RIGHT-OF-WAY OF VANCE STREET.

A resolution entitled, "Resolution Abandoning Part of Street Right-of-Way of Vance Street" was presented and read, and upon motion of Councilman White, seconded by Councilman Childs, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 171.

REQUEST OF C. D. SPANGLER TO PURCHASE 67 ACRE TRACT OF LAND OFF STATESVILLE ROAD TO MEET F.H.A. REQUIREMENTS FOR ERECTION OF 300-UNIT COLORED HOUSING PROJECT.

A communication from Mr. C. D. Spangler was presented, in which he stated he was unable to complete arrangements with the F. H. A., for financing the construction of the 300 rental colored housing units on the 67 acre tract of land off Statesville Road, for which he holds lease from the City of Charlotte, until he has an unrestricted fee simple title, due to F. H. A. not making loans on subleased property. Mr. Spangler requested

that he be permitted to purchase the property, in accordance with the terms of the lease authorized on May 2, 1949, for the sum of \$36,000, and deed to the City 23 acres for parks and playgrounds, and furnish surety bond guaranteeing that he will erect within 2 years from May 2, 1949, the 300-housing units to meet the F.H.A. requirements.

RESOLUTION AUTHORIZING WATER METER COSTS TO BE CONSTRUED AS A PART OF THE COST OF CONSTRUCTING WATER LINE TO THE COLORED HOUSING PROJECT ON STATESVILLE ROAD.

A resolution entitled, "Resolution Authorizing Water Meter Costs to be Construed as a Part of the Cost of Constructing Water Line to the Colored Housing Project on Statesville Road", was presented and read, and upon motion of Councilman White, seconded by Councilman Childs, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 172.

RESOLUTION WAIVING CONDITION THAT 300 HOUSING UNITS BE CONSTRUCTED BY C. D. SPANGLER ON STATESVILLE ROAD PRIOR TO DELIVERY OF DEED: THE ACCEPTANCE OF A \$36,000 BOND IN LIEU THEREOF, AND SALE OF TRACT TO SPANGLER FOR HOUSING PROJECT.

A resolution entitled, "Resolution Waiving Condition that 300 Housing Units Be Constructed by D. D. Spangler on Statesville Road Prior to Delivery of Deed; the Acceptance of a \$36,000 Bond in Lieu thereof, and Sale of Tract to Spangler for Housing Project" was introduced and read, and upon motion of Councilman DeLaney, seconded by Councilman Jordan, was unanimously adopted. Resolution is recorded in full in Resolutions Book 1, at Page 172-173.

SALE OF TAX FORECLOSED PROPERTIES CONFIRMED.

Upon motion of, Councilman Childs, seconded by Councilman Albea, and unanimously carried, the sale of the following tax foreclosed properties, sold at public auction on April 18th, was confirmed to Erwin Construction Company, at the following listed prices:

424-26 West Kingston Avenue at \$750.00
417-19 West Kingston Avenue at \$700.00

SETTLEMENT OF CLAIM OF MISS MARGARET GIBBON FOR PERSONAL INJURIES.

Motion was made by Councilman Albea, seconded by Councilman Jordan, and unanimously carried, authorizing the payment of \$350.00 to Miss Margaret Gibbon in settlement of claim for personal injuries.

CONTRACT AWARDED BLANKENSHIP BROS. FOR CONSTRUCTION OF SANITARY SEWERS IN BERRYHILL ROAD.

Councilman DeLaney moved that contract be awarded Blankenship Bros. for the construction of sanitary sewers in Berryhill Road project, on a unit price basis, representing a total price of \$41,975.55. Motion seconded by Councilman Albea, and unanimously carried.

CONTRACT WITH H. C. SHERRILL COMPANY FOR CONSTRUCTION OF SANITARY SEWERS IN WINDSOR DRIVE.

Upon motion of Councilman Jordan, seconded by Councilman Childs, and unanimously carried, contract for the construction of sanitary sewers in Windsor Drive, at an estimated cost of \$718.96, was authorized with H. C. Sherrill Company, the full amount of the contract cost to be deposited by the applicant, to be subsequently refunded in accordance with the terms of the contract.

AGREEMENTS FOR THE PURCHASE OF WATER MAINS AND FIRE HYDRANTS IN ANNEXED AREA.

Motion was made by Councilman Albea, seconded by Councilman White, and unanimously carried, authorizing agreements for the purchase of the following water mains and fire hydrants located in the annexed area, for which payments are to be made by the City within 12 months from date

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of contract, without interest:

- (a) Agreement with C. D. Spangler, for 4, 143 feet of mains in Selwyn Avenue, Pinehurst Place and Wakefield Drive, at a cost of \$9,189.91.
- (b) Agreement with Charlotte Country Club, for 3,525 feet of mains in Belvedere Avenue, Mecklenburg Avenue and an alley adjacent thereto, at a cost of \$2,553.58.
- (c) Agreement with Independence Post Housing Corp., for two fire hydrants, one located at Draper Ave. and Cochrane Place, and at Draper Avenue, Midway, Lee Ave. and Cochrane Place, at a cost of \$335.40.
- (d) Agreement with N. B. Crimminger, for the purchase of one fire hydrant, located on Central Avenue, at a cost of \$193.36.
- (e) Agreement with Park Road Water Company, for 4,633 feet of mains in Park Road and 1,160 feet of main in Selwyn Avenue, at a price of \$3,465.36.
- (f) Agreement with A. T. Withrow, for one fire hydrant located at the entrance of Highland Avenue, at a price of \$208.82.
- (g) Agreement with D. L. Phillips, for the purchase of 5,260 feet of mains and 5 fire hydrants in Barringer Drive, Shuman Avenue, Phillips Ave. Cowles Road, Mayflower Road, and Walker Avenue, at a price of \$11,160.23.

from Mrs. Carrie A. Hall, widow of F. A. Hall, at a price of \$1.00 for transfer.

- (c) Deed to Mr. and Mrs. F. Lee Erwin, for Lot No. 11-Fraction, Section R, Elmwood Cemetery, being transferred from Mrs. Hannash Muriel Gilchrist, widow of A. D. Gilchrist, Sr., at \$1.00 for transfer.

UNANIMOUS CONSENT GIVEN THE PRESENTATION OF UNDOCKETED ITEMS.

Upon motion of Councilman Albea, seconded by Councilman Childs the unanimous consent of Council was given the presentation of the following items not included in the Docket.

CONTRACT WITH PLAZA TERRACE APARTMENTS, INC. FOR CONSTRUCTION OF SEWER TRUNK LINE.

Upon motion of Councilman Childs, seconded by Councilman Jordan, and unanimously carried, contract was authorized with The Plaza Terrace Apartments, Inc., for the construction of a new trunk sewer along Briar Creek from near Central Avenue., to Florida Avenue, in Florida Avenue to East 35th Street, and in East 35th Street to east of The Plaza, for a total distance of 11,801 feet, at an estimated cost of \$40,310.11, to serve the Plaza Terrace Subdivision. The applicant to deposit the full amount of the cost, same to be subsequently refunded in accordance with the terms of the contract.

RESOLUTION APPOINTING MEMBER OF CITY OF CHARLOTTE AS MEMBER OF COMMISSION TO STUDY THE LAW ESTABLISHING THE LOCAL GOVERNMENTAL EMPLOYEES RETIREMENT SYSTEM.

A resolution entitled, "Resolution Appointing Member of City of Charlotte as Member of Commission to Study the Law Establishing the Local Governmental Employees Retirement System", was presented and read, and upon motion of Councilman Albea, seconded by Councilman DeLaney, was unanimously adopted. The Resolution is recorded in full in Resolutions Book 1, at Page 174.

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CROSTOWN BOULEVARD NAMED INDEPENDENCE BOULEVARD.

Councilman DeLaney moved that the new boulevard, from East Morehead Street to Briar Creek, presently known as the Crosstown Boulevard, be named Baxter Boulevard as a tribute to Mayor H. H. Baxter for his achievements during his term as Mayor, from which office he will retire on May 9th.

Mayor Baxter requested the privilege of the floor at this time, and expressed his keen appreciation for the suggestion and honor the Council desired to confer upon him, and stated he would have to decline and wished the motion withdrawn. He stated the services he had been able to render to the City as Mayor had been done with no desire for personal gain, honor or political reasons, but simply because of his love for Charlotte and its progress; that he did not desire to be remembered by any monument, or street or airport being named for him. That he felt it would be particularly unfitting to name the Crosstown Boulevard for him, as it was a State Highway project, sponsored by Mr. Ben E. Douglas and presented to the City Council by the Planning Board, and he felt it should be named for Mr. Douglas.

Councilman White stated he felt that although much criticism had been made of the Boulevard, that when its usefulness and necessity has been demonstrated and established, the people of Charlotte will be grateful for its construction, and he would like to see it named in honor of the finest Mayor that Charlotte has ever had.

Mayor Baxter again expressed his appreciation and asked that Councilman DeLaney withdraw his motion.

Upon the withdrawal of the motion, it was suggested that naming the Crosstown Boulevard should no longer be postponed. Whereupon, Councilman White moved that the Boulevard, from East Morehead Street to Briar Creek, be named Independence Boulevard. Motion seconded by Councilman DeLaney, and unanimously carried.

MAJOR ACCOMPLISHMENTS DURING SIX YEAR TERM OF MAYOR BAXTER.

Mayor Baxter requested that the major accomplishments since 1943 be recorded in the Minutes, representing his six years term as Mayor, the four year terms of Councilmen Albee, Childs and White, and two year terms of Councilmen DeLaney, Jordan and McKee and one year term of Councilman Lambeth, deceased. Upon motion of Councilman Childs, seconded by Councilman White, and unanimously carried, the following list of accomplishments was ordered placed upon the record:

- Creation of Planning Board.
- Establishment of Retirement System for City Employees.
- Erection of Two New Fire Stations and purchase of Two new Fire Trucks.
- Secured return of Morris Field facilities from U. S. Government (Cost to Federal Government \$6,000,000.00. Cost to Charlotte, \$1.00).
- Secured \$250,000.00 Naval Reserve Armory (West 6th Street).
- Adopted Major Street Plan for Charlotte.
- Adopted Zoning for Charlotte,
- Established Veterans Information Center.
- Established Veterans Recreation Commission.
- Extended City Limits.
- Appointed City-wide Committee to promote and improve aviation.
- Opened North Pinewood Cemetery for Negroes, and Opened Evergreen Cemetery for Whites.
- Approved City School tax election to increase pay to School Teachers.
- Created Traffic Bureau in Police Department.
- Organized Pet Department.
- Established Rat-proofing of buildings system, for the promotion of better health conditions in the elimination of typhus fever.
- Appropriated \$4,100,000.00 for extension of water lines, sewer lines and new disposal plant.
- Established new Health Ordinance prohibiting the distribution of contaminated foods; prohibiting the dilution of milk, and requiring the pasteurization of all milk sold in the City.

Inaugurated insect control by DDT for the prevention of Polio.
Erected 2,000 new concrete street signs.
Erected new \$55,000.00 Teen-age Recreation Center at Independence Park.
Bought 106,000 gallons of kerosene and distributed same to needy families during the fuel shortage in 1947.
Started the fluorinization of water to reduce the decay in children's teeth.
Paved East Fourth Street, West Boulevard and Princeton Avenue, and let contract for the Underpass at the Seaboard Airline Railway and Hawthorne Lane crossing.
Appropriated money for new sidewalks around all city schools.
Passed legislation for the elimination of unfit housing, requiring the installation of kitchen sinks and running water in all houses unfit for human habitation; 1,144 buildings having been so improved.
Obtained Federal and State funds amounting to \$1,500,000.00 for the construction of the first Boulevard in the Master Street Plan of the City of Charlotte at a cost of only \$300,000 to the City.

CITY'S CASH IN BANKS REFLECTS ECONOMICAL ADMINISTRATION DURING PAST SIX YEARS.

Mayor Baxter stated he would like included in the record the figures which attest to the economical administration of the city's affairs during his term as Mayor, namely: May 1943 to May 1949, which show that on June 30, 1943 the City's cash in banks amounted to \$1,152,810.51, and that today, May 4, 1949 the balance is \$2,840,784.98.

ADJOURNMENT.

Upon motion of Councilman Childs, seconded by Councilman DeLaney, and unanimously carried, the meeting was adjourned until 10 o'clock A.M., on Monday, May 9, 1949.

Lucian R. Hoffman
City Clerk